PERIODIC REVIEW

Provisioners Express
Facility Site ID#: 91612121

2102 West Valley Highway North,
Auburn, Washington

Northwest Region Office

TOXICS CLEANUP PROGRAM

December 2016

1.1 INTRODUCTION

This document is a review by the Washington State Department of Ecology (Ecology) of post-cleanup Site conditions and monitoring data to ensure that human health and the environment are being protected at the Provisioners Express (Site). Cleanup at this Site was implemented under the Model Toxics Control Act (MTCA) regulations, Chapter 173-340 Washington Administrative Code (WAC).

Cleanup activities at this Site were completed under the Voluntary Cleanup Program. The cleanup actions resulted in concentrations of petroleum related compounds, waste oil, and metals remaining at the Site which exceed MTCA cleanup levels. The MTCA cleanup levels for soil are established under WAC 173-340-740. The MTCA cleanup levels for groundwater are established under WAC 173-340-720. WAC 173-340-420 (2) requires that Ecology conduct a periodic review of a Site every five years under the following conditions:

(a) Whenever the department conducts a cleanup action
(b) Whenever the department approves a cleanup action under an order, agreed order or consent decree
(c) Or, as resources permit, whenever the department issues a no further action opinion, and one of the following conditions exists:

    1. Institutional controls or financial assurance are required as part of the cleanup;
    2. Where the cleanup level is based on a practical quantitation limit; or
    3. Where, in the department‟s judgment, modifications to the default equations or assumptions using Site-specific information would significantly increase the concentration of hazardous substances remaining at the Site after cleanup or the uncertainty in the ecological evaluation or the reliability of the cleanup action is such that additional review is necessary to assure long-term protection of human health and the environment.

When evaluating whether human health and the environment are being protected, the factors the department shall consider include [WAC 173-340-420(4)]:

(a) The effectiveness of ongoing or completed cleanup actions, including the effectiveness of engineered controls and institutional controls in limiting exposure to hazardous substances remaining at the Site;
(b) New scientific information for individual hazardous substances of mixtures present at the Site;
(c) New applicable state and federal laws for hazardous substances present at the Site;
(d) Current and projected Site use;
(e) Availability and practicability of higher preference technologies; and
(f) The availability of improved analytical techniques to evaluate compliance with cleanup levels.

The Department shall publish a notice of all periodic reviews in the Site Register and provide an opportunity for public comment.

2.0 SUMMARY OF SITE CONDITIONS

2.1 Site Description and History

Provisioners Express, later Provisioners Transportation is a 6-acre property located at 2102 West Valley Highway North in Auburn, Washington. The Site included one main refrigerated warehouse building, a maintenance garage, and parking areas, one diesel (12,000-gallons) underground storage tank (UST) with associated pump island, one waste oil UST (550-gallons), and an oil-water separator. Several aboveground storage tanks (ASTs) used to store oils and propane gas as well as an AST for a waste-oil burning heater were located inside the maintenance garage. Historical research of the Site and adjacent properties indicated that the area was undeveloped until mid 1980's. Provisioners Express, Inc., a refrigerated goods carrier and distribution company, was the only Site tenant since 1988. Adjacent properties in the Site vicinity consisted of business park developments and small manufacturing.

The majority of the Site consists of concrete or asphalt pavement surrounding the Site buildings and loading docks. The topography of the Site and vicinity are relatively flat with an elevation of approximately 65-feet above mean sea level, (USGS 1973). Mill Creek and the White River Park Wetland System are the nearest surface water bodies located at the southeast adjacent property, approximately 500-feet southeast of the Site. The Green River is located approximately 2 miles east of the Site.

The Soil Survey of King County Area, Washington (SCS 1973) classifies the soil in the Site vicinity as the Norma sandy loam part of the Norma Series. The Norma series is made of poorly drained soils formed in alluvium under sedges, grasses, conifers, and hardwoods. The Norma sandy loam occurs in strips 25 to 300 feet wide with slopes of less than 2 percent. In a typical soil profile, the A-horizon ranges from black to very dark brown sandy loam with as much as 15 percent gravel and the B-horizon is typically a sandy loam in places stratified with a silt loam and loamy sand with as much as 35 percent gravel in places. In areas near northwestern Auburn, some Norma soils have an organic layer as thick as 12-inches. Permeability is moderately high and the seasonal water table is at or near the surface. The unit is characterized by a moderately high to high available water capacity, slow runoff and slight erosion hazard. Soils are mostly used for pasture and, in drained areas, for row crops.

The geologic strata which underlies the Site consists of gravel and sand depoSited in the Quaternary period (less than 1.6 million years ago [Mullineaux 1965]). This unit is part of the Frazier Glaciation, which represents the last glaciation in the south Puget Sound. Sediments of this unit consist of deposits of sand and gravel depoSited by the White River and reworked by the Green River (Mullineaux 1965).

The surface of the Site is relatively level with deep drainage channels along the north and south sides of the Site. The drainage channel identified along the south boundary of the Site was observed flowing to the White River Park Wetland System located on the southeast adjacent property. Based on topography and surface features, shallow groundwater at the Site would be

expected to flow towards these drainage channels surrounding the Site, towards the wetlands, and towards Mill Creek running north-south east of the Site. Groundwater was encountered at a depth of 4.5 to 5 feet below ground surface (bgs) and flowing to the southeast, as estimated from limited subsurface investigation conducted at the Site and data from existing groundwater monitoring wells.

2.2 Site Investigations and Sample Results

Atlantic Geoscience, Inc. (AGI) conducted a Phase I ESA of the Provisioners property on behalf of a prospective buyer in September 1998. The Phase I also included a limited subsurface investigation in which 5 soil borings were advanced in the vicinity of the diesel and waste-oil USTs in order to assess any potential releases from them. Three borings B-1 to B-3 were advanced in the vicinity of the diesel UST and oil-water separator, and two (B-4 and B-5 within the excavation and removed thereafter) in the vicinity of the waste-oil UST. Soil and groundwater samples collected from four of these borings were analyzed for hydrocarbon identification (WTPH-HCID) analyses. However, during drilling of soil boring B-4, free product (as oil) was encountered at approximately 6-feet bgs. Therefore, no soil or groundwater samples were collected from this boring. Analytical results from soil samples collected from the soil borings around the diesel UST and B-5 indicated no hydrocarbons were present in soils at these locations. However, all groundwater samples collected contained oil, gasoline, and diesel-range hydrocarbons above MTCA Action levels for gasoline range, diesel range, and motor oil range organics (AGI 1998).

A push-probe investigation was also conducted at the end of November 1998 to delineate the extent of the oil seeps inside the garage. Environmental Management Resources‟ (EMR‟s) subcontractor advanced 16 push-probes from which ten subsurface soil samples were analyzed for oil and diesel range hydrocarbons by the NWTPH-Dx method. Selected samples were also analyzed for benzene, toluene, ethylbenzene, xylene (BTEX), and gasoline range hydrocarbons by the NWTPH-G/BTEX methods. Analytical results of these soil samples indicated that concentrations above MTCA Method A Soil Cleanup Levels for oil, diesel, mineral spirits and xylene remained beyond the extent of the excavation inside the maintenance garage.

EMR installed three groundwater monitoring wells (MW-1 through MW-3) at the Site in December 1998. EMR sampled the wells and analyzed the groundwater samples for oil and diesel range hydrocarbons using the NWTPH-Dx method. No concentrations of diesel or motor oil were detected from analytical results of groundwater samples collected from MW-1 and MW-3; however, concentrations of 250 micrograms per liter (ug/L) of gasoline range hydrocarbons and BTEX compounds were present at MW-2. Except for MW-2, none of the samples contained concentrations above MTCA Method A Cleanup Levels for TPH for groundwater (EMR 1999e). An additional groundwater monitoring well, MW-4 was installed early in 1999.

EMR conducted another round of groundwater sampling in addition to collecting a surface water sample from a ditch north of the UST excavation in April 1999, based on recommendations by Ecology. All samples were analyzed for gasoline and diesel range hydrocarbons and BTEX and the surface water sample was also analyzed for diesel range hydrocarbons. Analytical results

from these samples indicated no detectable concentrations of gasoline or BTEX were present in the surface water sample. Xylene was the only reported exceedance to MTCA Method A cleanup levels in groundwater at monitoring well MW-2 (EMR 1999e). The report also presented the results of five additional push-probes advanced at the Site. The letter indicated that these probes were advanced in order to calculate interim TPH parameters in soil. An EMR report for the fourth round of groundwater sampling conducted September 1999 at the Site indicated that Benzene at MW-2 exceeded the MTCA Method A Groundwater Cleanup Level (EMR 1999e).

The Independent Remedial Action Report (EMR 1999d) also indicates exceedances of the Method A cleanup levels for mineral spirits/stoddard solvents, which were present with concentrations up to 4000 milligrams per kilogram (mg/kg).

Roy F. Weston, Inc. (WESTON®) completed a Pre-Lease Assessment consisting of a Phase I environmental Site assessment (ESA) and limited subsurface investigation. WESTON was engaged by US West Communications, Inc. (US West) to conduct the assessment and investigation in accordance with the American Society for Testing and Materials (ASTM) E 1527-97 guidelines and US West specifications. The principal objective of this assessment was to identify potential environmental liabilities associated with the present and historical use of the property, physical condition of the grounds, existing operational practices, and potential impacts from surrounding areas as set forth in a proposal submitted to US West dated 18 November 1999. The purpose of the limited subsurface investigation was to address known existing contamination at the property, and to evaluate the current conditions of soil and groundwater in these problem areas. The information presented in that report was obtained from a review of property records and previous environmental investigations, a reconnaissance of the Site and interviews with the property owner and regulatory officials, and collection of soil and groundwater samples for chemical analyses.

Two open excavations were observed during the Site reconnaissance; one outside the northwest corner of the maintenance garage, and one inside the northwest corner of the maintenance garage. Based on conversations with the Site owner and documents reviewed at the Site, both excavations are related to contamination found from improperly installed lines and sump from floor drains inside the building leading into a waste-oil UST. According to a previous Phase I ESA and limited Site investigation (AGI 1998), free product was found in a soil boring advanced in the vicinity of the 550-gallon waste-oil UST, which led to the excavation of the UST. After the tank‟s removal, more contamination was found underneath the building. The owner excavated inside the building by removing the concrete floor slab, floor drains, and excavating the contaminated soil. Both excavations were filled with clean gravel, and the UST, which appeared to be in good condition, was nested into the gravel and covered. The UST was not re-installed and neither the drain line nor floor drains were re-connected. Some heavy oil-like stains were observed on the garage north wall and gravel fill in the waste-oil tank excavation area.

A 12,000-gallon diesel UST and associated pump island were identified at the exterior southeast corner of the maintenance garage. Heavy staining of the concrete floor was observed around the pump-island. However, no sheen was observed in rainwater running towards a floor drain located immediately south of the pump, which is reportedly connected to the oil-water separator.

WESTON conducted a limited subsurface investigation in the vicinity of the waste-oil UST and the diesel UST on 13 November. Soil samples were collected using push-probe technology at sampling locations GP001 through GP004. An additional soil sample was collected from GP005 based on field observations. Sample locations were selected in close proximity to the 12,000-gallon diesel UST, the 550-gallon waste oil UST and the location of the former floor drains inside the maintenance building. Soil samples were collected at continuous three-foot intervals to a depth of nine feet bgs. The samples were screened in the field based on visual staining and odor. One sample from each boring was selected for laboratory analysis based on the field screening results. Samples selected for laboratory analysis were submitted to Analytical Resources, Inc. (ARI) to be analyzed for total petroleum hydrocarbons in the diesel extended range (NWTPH-Dx), total petroleum hydrocarbons in the gasoline range (TPH-G), and volatile organic compounds (VOC). The sample collected from GP005 was only analyzed for NWTPH-Dx. Both fill materials and native soils were observed during soil sampling. Fill materials were typically encountered to approximately 8.5 feet and consisted of tightly compacted, brown and gray, coarse grained sand and gravel. Beneath the fill, native soil was encountered as a thin layer of brown silt with high organic content approximately one foot thick. This brown silt layer was observed in GP003, GP004 and GP005. In GP004, gray fine and medium grained sand was encountered beneath the brown silt layer. GP004 was the only push-probe location advanced through the silt.

Pea gravel from the bed of the 12,000-gallon diesel UST was encountered at 2.5 feet bgs in GP001. As soil samples could not be collected from the pea gravel, a new location approximately ten feet to the south, GP005, was selected to complete the investigation at depth.

NWTPH-Dx was detected in all five samples submitted for analysis. Detected concentrations ranged from 13 mg/kg in GP002 at 3 feet bgs to 160 mg/kg in GP004 at 6 feet bgs. The hydrocarbon source in GP001 was identified as motor oil. None of the other samples had a chromatographic pattern matching that of diesel or motor oil. The MTCA Method A soil cleanup standard for diesel-range TPH is 200 mg/kg.

TPH-G was detected in one sample, GP004 at 6 feet bgs, at a concentration of 32 mg/kg. The detected gasoline-range petroleum hydrocarbons did not have a chromatogram that matched the pattern for fresh gasoline. However, the petroleum hydrocarbons appear to be severely weathered gasoline or other light petroleum products. The MTCA Method A soil cleanup level for gasoline range TPH-G is 100 mg/kg.

Four volatile organic compounds (VOCs) (2-butanone, acetone, carbon disulfide, and methylene chloride) were detected in one or more soil samples. The combination of VOCs detected may indicate the presence of carburetor cleaner as a source. However, acetone and methylene chloride are common laboratory contaminants, though they were not detected in the method blank. Of the VOCs detected only methylene chloride has a MTCA Method A soil cleanup standard. None of the samples had detected methylene chloride concentrations above the MTCA Method A soil cleanup standard of 500 ug/kg. 2-Butanone was detected in GP004 at 6 feet bgs at a concentration of 39 ug/kg. Acetone was detected in three samples at concentrations ranging from

14 ug/kg in GP003 at 6 feet bgs to 150 ug/kg in GP004 at 6 feet bgs. Carbon disulfide was detected in GP004 at 6 feet bgs at a concentration of 1.3 ug/kg. Methylene chloride was detected in three samples at concentrations ranging from 3.9 ug/kg in GP003 at 6 feet bgs to 7.1 ug/kg in GP002 at 3 feet bgs.

Four groundwater samples were submitted to ARI for laboratory analysis. All samples submitted were analyzed for NWTPH-Dx, TPH-G, and VOC, except for the sample from GP004, which was only analyzed for TPH-G and VOC.

Acetone was detected above the MTCA Method B 100 times groundwater soil cleanup level of 80 mg/kg in GP004 at a concentration of 140 mg/kg. Methylene chloride was detected above the MTCA Method B 100 times groundwater carcinogen soil cleanup level of 0.58 mg/kg in GP002, GP003, and GP004. The MTCA Method B 100 times groundwater carcinogen soil cleanup level for methylene chloride is lower than the laboratory detection limit for GP001.

NWTPH-Dx was detected in all three samples submitted for TPH-Dx analysis. Detected concentrations ranged from 0.59 mg/L in GP002 to 2.2 mg/kg in GP001. None of the other samples had a chromatographic pattern matching that of diesel or motor oil. The MTCA Method A groundwater cleanup level for TPH was 1 mg/L.

TPH-G was detected in one sample, MW-2, at a concentration of 0.44 mg/L. The detected gasoline-range petroleum hydrocarbons did not have a chromatogram that matched the pattern for fresh gasoline. However, the petroleum hydrocarbons appear to be severely weathered gasoline or other light petroleum products. The MTCA Method A groundwater cleanup level for TPH was 1 mg/L.

Twelve VOCs were detected in one or more groundwater samples. With the exception of a detection of acetone in GP002 all of the VOC detections occurred in MW-2 and GP004. Benzene was the only VOC detected at concentrations above the MTCA Method A groundwater cleanup levels. Benzene was detected at concentrations above the MTCA Method A standard (5 ug/L) in GP004 at 19 ug/L and in MW-2 at 26 ug/L.

Benzene was detected above the MTCA Method B groundwater cleanup level of 1.51 ug/L in MW-2 and GP004. The combination of VOCs detected in GP004 may indicate the presence of carburetor cleaner, gasoline or petroleum based solvents. Benzene, toluene, ethylbenzene and m-, p- and o-xylenes (BTEX) as well as seven other VOCs were detected in GP004.

2.3 Cleanup Actions

In October 1998, EMR, the owners‟ subcontractor, conducted UST closure assessment activities on the waste-oil UST. EMR indicated that it was evident that an unknown volume of free oil had drained into the soils and backfill surrounding the tank from a 4-inch drain-line sheared off approximately 2-3 feet from the tank drain hole (EMR 1998). The drain-line was connected to two floor drains and sumps inside the maintenance garage. Approximately 350-cubic yards of contaminated soil were excavated. EMR collected post excavation samples following the

removal of the impacted soil. Analytical results of soil samples collected after the excavation of contaminated soils indicated that the bottom as well as the north, east, and west sidewalls of the excavation showed no detection of motor oil or diesel range hydrocarbons. The results indicated that contamination with motor oil range at 660 milligrams per kilogram (mg/kg) and diesel range at 2,200 mg/kg hydrocarbons still persisted on the south sidewall of the excavation. A follow-up tracer dye test conducted on the drain line confirmed the drain line had leaked (EMR 1 999c).

On 3 November 1998, EMR returned to the Site to excavate a trench inside the building below both floor drains/sumps and along the drain line. EMR reported localized oil seeps at approximately 3-4 feet bgs on the trench sidewalls. After excavating the impacted soil, EMR collected 11 soil samples along the sidewalls and bottom of the completed excavation and analyzed them with the NWTPH-DX method. Analytical results from these samples indicated that concentrations above the MTCA Method A Soil Cleanup Levels remained along the sidewalls of the trench and at least in one area of the trench bottom (EMR 1999c).

Groundwater samples were collected using push-probe technology from GP001, GP002 and GP004. A groundwater sample was not collected from GP003 due to insufficient groundwater yield. Instead, a groundwater sample was collected from nearby monitoring well MW-2. Push-probe groundwater samples were collected through a four-foot screen using dedicated polyethylene tubing and a peristaltic pump. Groundwater at time of drilling was encountered between 4.5 and 5 feet bgs. The push-probe screen was advanced from 4 to 8 feet bgs to ensure capture of floating product, if any existed.

Monitoring well MW-2, located on the north side of the maintenance building was sampled in lieu of a push-probe groundwater sample from GP003. MW-2 has a total depth of 15 feet bgs and is screened from 5 to 15 feet bgs. The purge water had a sheen and a mild petroleum odor. The sample collected from MW-2 was submitted to ARI for TPH-Dx, TPH-G, and VOC analysis. Groundwater level measurements were collected from MW-1 through MW-4. Depth to groundwater was measured with a steel tape.

Although most of the source of contamination (impacted soil) has been removed, there is still a significant amount of contaminated soil in place under the floor, north wall and foundation of the maintenance building located on the northeast portion of the Property (EMR l999d). The removal of this impacted soil was limited as its removal may affect the structural integrity of the building. In addition, the fact that groundwater and subsurface soil show detected concentrations of BTEX and other VOC compounds at GP-004 and MW-2 (which is cross-gradient from the excavation), raised several questions regarding an additional source in this area.

Ecology agreed with the protectiveness of the cleanup pertaining to waste oil and metals released into the soil and groundwater, and issued a „No Further Action‟ letter on January 20, 2000, after a restrictive covenant was recorded with the county. The letter required additional groundwater monitoring presumably because benzene in groundwater was still above MTCA standards.

Groundwater monitoring was conducted quarterly until 2003, when the frequency was reduced to annually. The last monitoring event in Ecology's records was in August 2003. Benzene levels still exceeded Method A standards.

2.4 Cleanup Levels

MTCA Methods A and B standards have been referenced to set cleanup levels and the conditional points of compliance and to measure protectiveness.

2.5 Restrictive Covenant

Based on the Site use, surface cover and cleanup levels, it was determined that the Site was eligible for a „No Further Action" determination for the soil cleanup if a Restrictive Covenant was recorded for the property. A Restrictive Covenant was recorded for the Site in 1999 which imposed the following limitations:

Section 1.
1. The Property shall be used only for traditional industrial uses, as described in RCW 70.105D. 020(23) and defined in and allowed under the City of Auburn zoning regulations as of the date of this Restrictive Covenant.
2. No groundwater may be taken for any use from the Property.
3. Any activity on the Property that may interfere with the ongoing monitoring of groundwater wells is prohibited.
4. A portion of the Property contains TPH contaminated soil located under the floor, north wall and foundation of the maintenance building located on the northeast portion of the Property, as described in the reports listed above. The Owner shall not alter, modify, or remove the existing structure of the maintenance building in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.
Section 2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.
Section 3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.
Section 4. The Owner of the Property must give thirty (30) day advance written notice to Ecology of the Owner"s intent to convey any interest in the Property. No conveyance of title, easement, lease or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.
Section 5. The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.
Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the Property, and to inspect records that are related to the Remedial Action.
Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

The Restrictive Covenant is available as Appendix 6.4.

3.0 PERIODIC REVIEW

3.1 Effectiveness of completed cleanup actions

The Restrictive Covenant for the Site was recorded and is in place. This Restrictive Covenant prohibits activities that will result in the release of contaminants at the Site without Ecology's approval, and prohibits any use of the property that is inconsistent with the Covenant. This Restrictive Covenant serves to ensure the long term integrity of the remedy.

Based upon the Site visit conducted on June 30, 2016, the remedy at the Site continues to eliminate exposure to contaminated soils by ingestion and contact. The remedy appears in satisfactory condition and no repair, maintenance, or contingency actions have been required. The Site is still operating as a trucking facility. A photo log is available as Appendix 6.5.

Soils with TPH and metals concentrations higher than MTCA cleanup levels are still present at the Site. However, the remedy prevents human exposure to this contamination by ingestion and direct contact with soils. The Restrictive Covenant for the property will ensure that the contamination remaining is contained and controlled. The groundwater has not been verified as cleaned up.

3.2 New scientific information for individual hazardous substances for mixtures present at the Site

There is no new scientific information for the contaminants related to the Site.

3.3 New applicable state and federal laws for hazardous substances present at the Site

The cleanup at the Site was governed by Chapter 173-340 WAC (1996 ed.). WAC 173-340-702(12) (c) [2001 ed.] provides that,

"A release cleaned up under the cleanup levels determined in (a) or (b) of this subsection shall not be subject to further cleanup action due solely to subsequent amendments to the provision in this chapter on cleanup levels, unless the department determines, on a case-by-case basis, that the previous cleanup action is no longer sufficiently protective of human health and the environment."

Although cleanup levels changed for petroleum hydrocarbon compounds as a result of modifications to MTCA in 2001, those changes do not appear to have affected this cleanup. Contamination remains at the Site above the new MTCA Method A and B cleanup levels. Even so, the cleanup action is still protective of human health and the environment. A table comparing MTCA cleanup levels from 1991 to 2001 is available below.

Analyte	1991 MTCA Method A Soil Cleanup Level (ppm)	2001 MTCA Method A Soil Cleanup Level (ppm)	1991 MTCA Method A Groundwater Cleanup level (ppb)	2001 MTCA Method A Groundwater Cleanup Level (ppb)
Cadmium	2	2	5	5
Lead	250	250	5	15
TPH	NL	NL	1000	NL
TPH-Gas	100	100/30	NL	1000/800
TPH-Diesel	200	2000	NL	500
TPH-Oil	200	2000	NL	500

NL = None listed

3.4 Current and projected Site use

The Site is currently used for commercial purposes. There have been no changes in current or projected future Site or resource uses.

3.5 Availability and practicability of higher preference technologies

The remedy implemented included containment of hazardous substances, and it continues to be protective of human health and the environment. While higher preference cleanup technologies may be available, they are still not practicable at this Site.

3.6 Availability of improved analytical techniques to evaluate compliance with cleanup levels

The analytical methods used at the time of the remedial action were capable of detection below selected Site cleanup levels. The presence of improved analytical techniques would not affect decisions or recommendations made for the Site.

4.0 CONCLUSIONS

The following conclusions have been made as a result of this periodic review:

- The cleanup actions completed at the Site appear to be protective of human health, but not the environment, since groundwater has not been verified as cleaned up.

- Soils cleanup levels have not been met at the standard point of compliance for the Site; however, the cleanup action has been determined to comply with cleanup standards since the long-term integrity of the containment system is ensured, and the requirements for containment technologies are being met.

- The Restrictive Covenant for the property is in place and continues to be effective in protecting public health from exposure to hazardous substances and protecting the integrity of the cleanup action.

Based on this periodic review, the Department of Ecology has determined that the requirements of the Restrictive Covenant continue to be met. No additional cleanup actions are required by the property owner at this time, although groundwater is being monitored. It is the property owner's responsibility to continue to inspect the Site to assure that the integrity of the remedy is maintained.

4.1 Next Review

The next review for the Site will be scheduled five years from the date of this periodic review. In the event that additional cleanup actions or institutional controls are required, the next periodic review will be scheduled five years from the completion of those activities.

5.0 REFERENCES

1. Report titled “Phase I Environmental Assessment, Provisioners Terminal, Auburn, Washington”, prepared for Watkins Terminals, Inc., by Atlantic Geosciences, Inc., and dated September 14, 1998;

2. Report titled “Remedial Investigation/Feasibility Study”, prepared for Provisioners Express Auburn Facility, by Environmental Management Resources, Inc. (EMR), Redmond, WA., and dated March, 1999;

3. Report titled “Results of Interim TPH Analysis, Groundwater Monitoring and Stream Sampling, Provisioners Express Facility, Auburn, WA., prepared for Provisioners Express Auburn Facility by EMR, and dated April 20, 1999;

4. Report titled “Pre-Lease Assessment, Provisioners Warehouse, 2102 West Valley Highway North, Auburn, Washington”, prepared for US West Communication, Inc., Seattle, WA., by Roy F. Weston, Inc., Seattle, WA., and dated December 2, 1999;

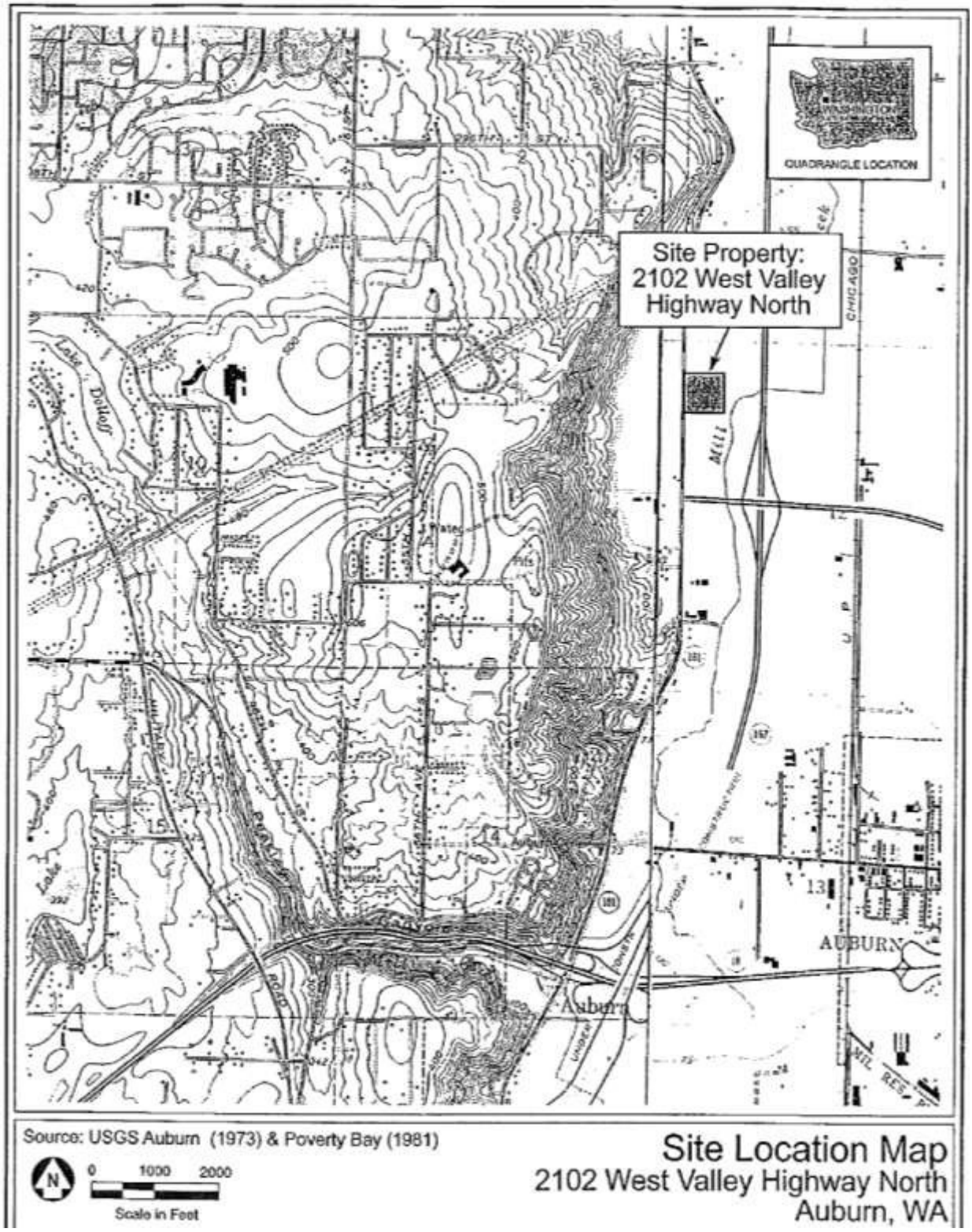
5. 1999 Restrictive Covenant;

6. Ecology, 2010 Site Visit.

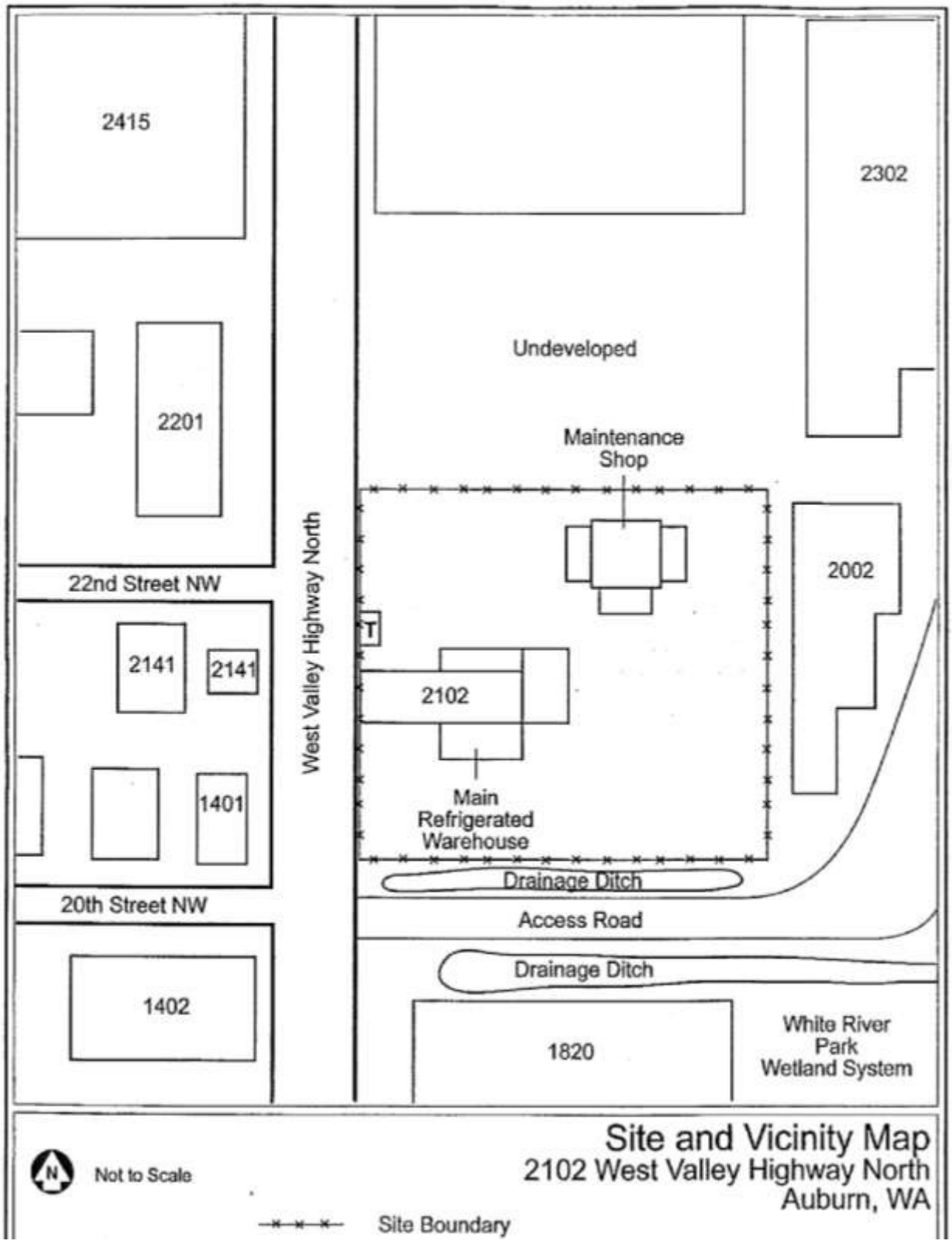
7. Ecology, 2016, Site Visit.

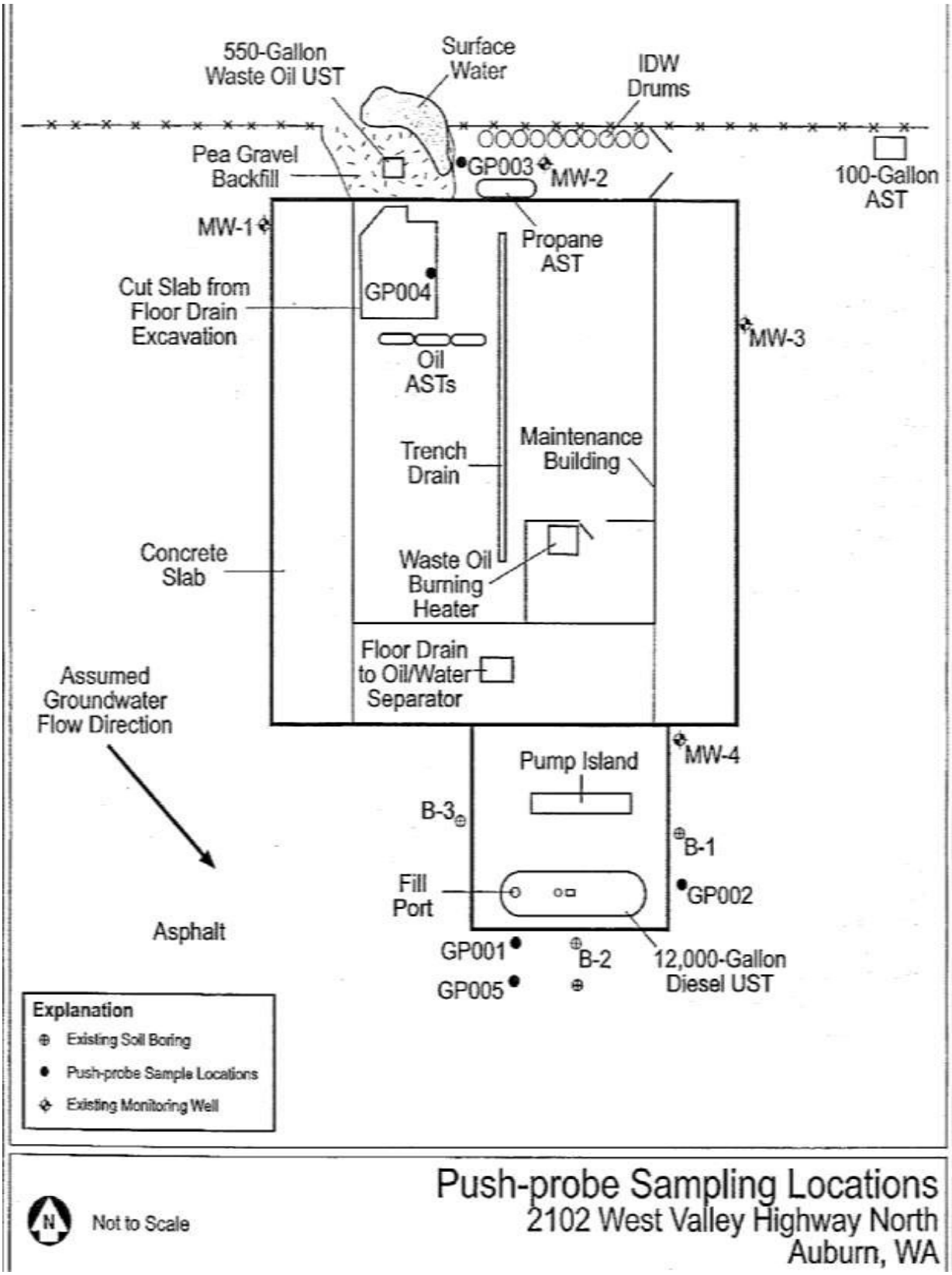
6.0 APPENDICES

6.1 Vicinity Map



6.2 Site Plan


2415
2302
Undeveloped
2201
Maintenance Shop
2002
22nd Street NW
West Valley Highway North
2141
2141
2102
1401
Main Refrigerated Warehouse
Drainage Ditch
20th Street NW
Access Road
Drainage Ditch
1402
1820
White River Park Wetland System
Not to Scale
Site and Vicinity Map
2102 West Valley Highway North
Auburn, WA
Site Boundary


550-Gallon
Waste Oil UST
Surface
Water
IDW
Drums
Pea Gravel
Backfill
GP003
MW-2
100-Gallon
AST
MW-1
Propane
AST
Cut Slab from
Floor Drain
Excavation
GP004
MW-3
Oil
ASTs
Trench
Drain
Maintenance
Building
Concrete
Slab
Waste Oil
Burning
Heater
Floor Drain
to Oil/Water
Separator
Assumed
Groundwater
Flow Direction
MW-4
Pump Island
B-3
B-1
Fill
Port
GP002
Asphalt
GP001
B-2
12,000-Gallon
Diesel UST
GP005
Explanation
Existing Soil Boring
Push-probe Sample Locations
Existing Monitoring Well
N
Not to Scale
Push-probe Sampling Locations
2102 West Valley Highway North
Auburn, WA

6.3 TPH-Dx Concentration Map

(not available)

6.4 Environmental Covenant

WHEN RECORDED RETURN TO:

Jeffrey L. Péwé
58th Floor, Columbia Center
701 Fifth Avenue
Seattle, WA 98104

19990826000894
PAGE 001 OF 006
08/26/1999 10:42
KING COUNTY, WA

MONTGOMERY PUR COV 13.00

Reference Number(s) of related document(s): None.

Grantor: David G. Pollart, a married person as his separate estate.
Full legal on ***Attachment A***.

Grantee: None.

Legal Description (abbreviated): A portion of the Northwest Quarter of the Northwest Quarter of Sec. 12-T21N-R4E, King County, Washington.

Assessor's Tax Parcel ID Number: Parcel A: 122104-9034-08

RESTRICTIVE COVENANT

Property Owner:	**David G. Pollart**
Property Address:	**2102 West Valley Highway, Auburn, King County, Washington**

THIS DECLARATION OF RESTRICTIVE COVENANT is made pursuant to RCW 70.105D.030(1)(f) and (g), and WAC 173-340-440 by David G. Pollart, and his successors and assigns, and the State of Washington Department of Ecology, its successors and assigns (hereafter "Ecology").

An independent remedial action (hereafter "Remedial Action") occurred at the property that is the subject of this Restrictive Covenant. The Remedial Action conducted at the property is described in the following documents:

(1) Phase I Environmental Assessment, Provisioners Terminal, Auburn, Washington, prepared for Watkins Terminals, Inc., by Atlantic Geosciences, Inc., dated September 14, 1998.

RESTRICTIVE COVENANT
rwt\c:\my documents\revised pollart restrictive covenant.doc

(2) Remedial Investigation/Feasibility Study, prepared for Provisioners Express Auburn Facility by Environmental Management Resources, Inc., dated March, 1999.

(3) Results of Interim TPH Analysis, Groundwater Monitoring and Stream Sampling, Provisioners Express Facility, Auburn, WA.,, prepared for Provisioners Express Auburn Facility by Environmental Management Resources, Inc., dated April 20, 1999.

These documents are on file at Ecology's Northwest Regional Office.

This Restrictive Covenant is required because the Remedial Action resulted in residual concentrations of oil and diesel range total petroleum hydrocarbons ("TPH") which exceed the Model Toxics Control Act Method A Residential Cleanup Levels for subsurface soil established under WAC 173-340-740.

The undersigned, David G. Pollart, is the owner of the real property (hereafter "Property") in the County of King, State of Washington, that is subject to this Restrictive Covenant. The Property is legally described in ***Attachment A*** of this Restrictive Covenant and made a part hereof by reference.

David G. Pollart makes the following declaration as to limitations, restrictions, and uses to which the Property may be put and specifies that such declarations shall constitute covenants to run with the land, as provided by law and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the Property (hereafter "Owner").

Section 1.

1. The Property shall be used only for traditional industrial uses, as described in RCW 70.105D.020(23) and defined in and allowed under the City of Auburn zoning regulations as of the date of this Restrictive Covenant.

2. No groundwater may be taken for any use from the Property.

3. Any activity on the Property that may interfere with the ongoing monitoring of groundwater wells is prohibited.

4. A portion of the Property contains TPH contaminated soil located under the floor, north wall and foundation of the maintenance building located on the northeast portion of the Property, as described in the reports listed above. The Owner shall not alter, modify, or remove the existing structure of the maintenance building in any manner that may result in the release or exposure to the environment of that contaminated soil or create a new exposure pathway without prior written approval from Ecology.

Section 2. Any activity on the Property that may interfere with the integrity of the Remedial Action and continued protection of human health and the environment is prohibited.

Section 3. Any activity on the Property that may result in the release or exposure to the environment of a hazardous substance that remains on the Property as part of the Remedial Action, or create a new exposure pathway, is prohibited without prior written approval from Ecology.

Section 4. The Owner of the Property must give thirty (30) day advance written notice to Ecology of the Owner's intent to convey any interest in the Property. No conveyance of title, easement, lease or other interest in the Property shall be consummated by the Owner without adequate and complete provision for continued monitoring, operation, and maintenance of the Remedial Action.

Section 5. The Owner must restrict leases to uses and activities consistent with the Restrictive Covenant and notify all lessees of the restrictions on the use of the Property.

Section 6. The Owner must notify and obtain approval from Ecology prior to any use of the Property that is inconsistent with the terms of this Restrictive Covenant. Ecology may approve any inconsistent use only after public notice and comment.

Section 7. The Owner shall allow authorized representatives of Ecology the right to enter the Property at reasonable times for the purpose of evaluating the Remedial Action; to take samples, to inspect remedial actions conducted at the Property, and to inspect records that are related to the Remedial Action.

Section 8. The Owner of the Property reserves the right under WAC 173-340-440 to record an instrument that provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect. However, such an instrument may be recorded only if Ecology, after public notice and opportunity for comment, concurs.

DATED this 25th day of August, 1999.

David G. Pollart

David G. Pollart

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that David G. Pollart is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes stated therein.

Dated August 25, 1999.

JEFFREY L PEWE
COMMISSION EXPIRES
NOTARY
PUBLIC
SEPT 1, 2002
STATE OF WASHINGTON

Printed Name: Jeffrey L. Pewe
NOTARY PUBLIC, State of Washington
My appointment expires 9/1/02

Attachment A

Parcel A:

THE EAST 500 FEET OF THE WEST 536 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 21 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;
EXCEPT THE SOUTH 60 FEET THEREOF; AND
EXCEPT THE NORTH 742.12 FEET THEREOF;

(ALSO KNOWN AS LOT 3 OF CITY OF AUBURN LOT LINE ADJUSTMENT NO. LLA-11-87, RECORDED UNDER RECORDING NUMBER 8706221496, BEING LOT 3 AND A PORTION OF LOT 2 OF CITY OF AUBURN SHORT PLAT NUMBER SP-3-86, RECORDED UNDER RECORDING NUMBER 8606050397.)

6.5 Photo log

Photo 1: UST under concrete pad at right, south side of maintenance bldg.

Photo 2: Asphalt area southeast of the maintenance building at the right.

Photo 3: Monitoring wells are still in use at the property

Photo 4: South side of the maintenance building